

### REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-22 remain active in this case and Claim 11 has been amended by the present amendment.

Currently, this application stands allowed. However, subsequent to allowance, Applicants have uncovered in Claim 11 an error which requires correction. Specifically, in the "wherein" clause at the end of Claim 11, the order of processing is incorrectly stated insofar as "after" should have been "before" in the wherein clause.

More particularly, Claim 11 covers a pattern inspection apparatus that performs, for example, the operation of the second embodiment (shown in the flowchart of FIG. 7) or that of the fourth embodiment (shown in the flowchart of FIG. 9). Namely, at steps, for example, S3 to S5 in the flowchart of FIG. 7, the repeated pattern area generator detects whether there exist candidates for repeated pattern areas. After that, at step S6a, the repeated pattern area generator re-acquires the repeated area candidates image at a high resolution. This is covered by the expression "the detected pattern generator detects the first optical image to generate the detected pattern data" recited in claim 11. The "first optical image" is formed by the "first imaging optics."

As is evident from the above, Claim 11 as allowed recites an incorrect order of operation. If "after" is changed to --before-- as above mentioned, the correct order is obtained. However, Applicants consider it more natural to change the order of operations as stated in the present AMENDMENT UNDER 37 C.F.R. §1.312.

As the present amendment, given the clear explanation provided above, does not affect allowability of the claims, it is believed that it does not raise significant new issues, and to expedite issuance, it is respectfully requested that this diligently filed amendment be entered and a supplemental notice of allowance issued. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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